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PTO/SB/66 (09-04)

Approved for use through 05/31/2006. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))

Docket Number (Optional)

GOJ.P.42

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (703) 872-9306

RECEIVED

JUL 21 2005

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. 6,216,916 Application Number 09/397,314

Issue Date April 17, 2001 Filing Date September 16, 1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent:

is a reissue of original Patent No. original issue date original application number original filing date

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application filed on

Adjustment date: 09/23/2005 AKELLEY
07/20/2005 MAHME1 00000039 6216916
01 FC:1599
09/23/2005 AKELLEY 00000021 6216916

01 FC:1551
02 FC:1558

900.00 OP
1640.00 OP

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

14 JUL 2005
Date

Signature

07/20/2005 MAHME1 00000039 6216916

01 FC:1599

4439.00 OP

Mark L. Weber

Typed or printed name of person signing Certificate

[Page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 900.00	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 900.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1640.00

## 5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 2540.00.

☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. A duplicate copy of this authorization is attached.

☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 18-0987. A duplicate copy of this authorization is attached.

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**7. OVERPAYMENT**

As to any overpayment made please


- ☒ Credit to Deposit Account No. 18-0987
- OR
- ☐ Send refund check.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**8. STATEMENT**

The delay in payment of the maintenance fee to this patent was unintentional.

**9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

 14 July 2005  
Signature(s) of Petitioner(s) Date

Mark L. Weber 46,069  
Typed or printed name(s) Registration Number, if applicable

330-376-1242  
Telephone Number

Renner, Kenner, Greive, Bobak, Taylor & Weber  
Address

First National Tower - Fourth Floor, Akron, Ohio 44308  
Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

**ENCLOSURES:**

- ☒ Maintenance Fee payment
- ☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
- ☒ Correction of Small Entity Status and additional check in the amount of \$1899.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent of )

Jeffrey T. Maddox, et al. )

Patent No.: 6,216,916 )

Issued: April 17, 2001 )

For: COMPACT FLUID PUMP )

CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 14th day of July, 2005.

Mary Spoonster  
Mary Spoonster

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JUL 21 2005

OFFICE OF PETITIONS

Adjustment date: 09/23/2005 AKELLEY  
02/02/2001 KZEWDIE1 00000071 09397314  
01 FC:242 -620.00 OP  
Adjustment date: 09/23/2005 AKELLEY  
12/21/2000 HN00R1 00000026 09397314  
01 FC:215 -55.00 OP

**CORRECTION OF SMALL ENTITY STATUS ESTABLISHED  
IN ERROR UNDER 37 C.F.R. §1.28**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

09/23/2005 AKELLEY 00000022 09397314

01 FC:1461 380.00 OP  
02 FC:1461 Sir: 78.00 OP  
03 FC:1461 18.00 OP

In the above-identified application, small entity status was established in good faith, although established in error. The present submission serves to correct this error. The itemization of the total deficiency payment is provided below:

Fees Paid In Error	Date Paid	Current Fee	Difference	Total
Filing Fee \$380	14-Jul-99	\$1,000	\$620	
Ind. Claims in Excess of 3 (2x\$39) \$78	14-Jul-99	\$200	\$122	
Claims excess 20 (2x\$9) \$18	14-Jul-99	\$100	\$82	
Multiple dependent claim \$130	14-Jul-99	\$360	\$230	
Ext. Time 1 month \$55	13-Dec-00	\$120	\$65	
Issue Fee \$620	17-Jan-01	\$1,400	\$780	
<b>Total</b>				<b>\$1,899</b>

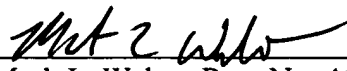
Accordingly, a check in the amount of \$1,899.00 is enclosed. In the event that this amount is determined to be too large or too small, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account 18-0987.

09/23/2005 AKELLEY 00000023 09397314  
01 FC:1999 1400.00 OP  
02 FC:1251 120.00 OP  
03 FC:1461 122.00 OP  
04 FC:1461 620.00 OP  
05 FC:1461 82.00 OP  
06 FC:1461 230.00 OP

The payment of this deficiency operates as notification of the loss of small entity status.  
The first maintenance fee is also being paid contemporaneously with this Correction of the Small Entity Status.

Should this submission raise any issues to be addressed by the Applicants, the undersigned attorney would welcome a telephone call.

Respectfully submitted,

  
\_\_\_\_\_  
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